

OTTAWA POLICE SERVICE



PUBLIC ORDER SMEAC

Ottawa Truck Protest

OPERATIONAL PLAN

OPERATIONS/INCIDENT PLAN (SMEAC)

SECTION	UNIT	FILE NUMBER	DATE
Three Sections	Public Order Unit		To be determined

SITUATION

One element of the protest group is blocking an intersection (surrounding Rideau St, between Sussex Dr and Elgin St), which has impacted local businesses and the surrounding economy as well as compromised public safety.



IDENTIFIED CONCERNS

1. Presence of children, the elderly, and other vulnerable persons
2. Proximity to other mass gatherings, and potential triggering events (reaction of other nearby protesters as well other Provincial demonstrations)
3. Disabled/obstructed vehicles
4. Maneuverability of tow services/towed vehicles
5. Ability to secure and maintain ingress/egress routes (sustainability)
6. Mass arrest plan/and impact on resources/logistics

MISSION

OBJECTIVE OF OPERATION

To clear the intersection of Rideau Street and Sussex Drive to open traffic lanes for emergency service vehicles; while maintaining officer and public safety.

EXECUTION

DELIBERATE ACTION PLAN

POLICE LIAISON TEAM (PLT)

PLTs will liaise, utilizing prepared messaging, with anyone occupying the intersection and request they clear the roadway. At the same time, and in an attempt to minimize further disruption, PLTs will deliver the same messaging to protest organizers stressing the impacts of negative media attention surrounding the blocking of roadways to hospitals and healthcare facilities.

PUBLIC ORDER UNIT (POU)

One POU section (in Level 1 dress) will stand by while PLT and uniform officers make contact and facilitate voluntary clearing of the roadway, and will further remain until all vehicles are removed and barricades, barriers, and/or City works heavy equipment are put in place and there are no attempts to re-enter.



MAP #1

ALTERNATE ACTION PLAN

In the event of refusal to move, POU will deploy (in Level 1 dress) in a crowd management capacity, and clear the intersection of people to permit the safe removal of any vehicles. In the event of active resistance, POU will utilize arrest tactics as per their SOPs. All arrested persons will be turned over to OPS Hot Teams.

In the event of a barricaded person within a vehicle, an assigned Tactical Team will be utilized per their SOPs.

One POU section will stand by while roadway barriers are put into place, and prevent any further protesters from entering the intersection.

See Appendix "A" regarding Tow Plan.
See Appendix "B" regarding Traffic Plan
See Appendix "C" regarding Tactical Plan

Green = Area of DAP

Red = ongoing monitoring/managing



MAP #2

Use of uniform police presence to monitor/assess crowd dynamics in the red zone. Three POU sections will be utilized for this phase, 2 placed as per the barriers seen in map #1, with the other section placed in the red zone to assist with removal/arrests.

ARRESTS

If arrests are made, accused persons will be processed as per Ottawa Police Service's Mass Arrest Plan.

IMMEDIATE ACTION PLAN

If protestors begin to gather and interfere with police action, POU will initially deploy in a crowd management capacity, with consideration and the ability to transition and increase response tactics as required.

ADMINISTRATION AND EQUIPMENT

Required Resources

- **PLT** – as directed by OPS
- **POU** – POU sections are present to safely control the intersection, allowing the Tow Plan to be executed.
- **ORT** - Obstruction Removal Team
- **Fire Services**
- **Paramedics**
- **OC Transpo** – City buses to be utilized to shelter persons displaced as a result of their vehicle being seized.
- **City Vehicles**
- **Ottawa Police Tactical Unit** – required to address barricaded truck occupants and provide overall safety of operation
- **Negotiators** – 3 negotiators to be assigned to this action plan in the event of a barricaded person
- **LRAD** – Long Range Acoustic Device
- **Heavy Tow Vehicles** - as per Tow Plan

AUTHORITIES

Any participant that does not leave voluntarily will be arrested for the Criminal Code offence of mischief. Anyone who interferes with police members engaged in the lawful execution of their duties will be arrested for obstructing police. Please see **“FEDERAL AND PROVINCIAL LAWS”** below.

MEDICAL	
HOSPITAL: <u>Élisabeth Bruyère Hospital</u> 43 Bruyere Street Ottawa, ON K1N5C8 613-562-6262	

COMMAND / CONTROL / COMMUNICATIONS

OIC CASE	UNIT SUPERVISOR	SECTION SUPERVISOR
To be determined		

RADIO FREQUENCIES		
POU COMMAND	INCIDENT COMMAND	OPERATIONS
ESU1	SPECIAL3	CENTRAL

FEDERAL AND PROVINCIAL LAWS TO CONSIDER

CANADIAN CHARTER OF RIGHTS AND FREEDOMS

Fundamental Freedoms

2. Everyone has the following fundamental freedoms:

- a) freedom of conscience and religion;
- b) freedom of thought, belief, opinion, and expression, including freedom of the press and other media of communication;
- c) freedom of peaceful assembly; and
- d) freedom of association

CRIMINAL CODE OF CANADA

63 (1) An unlawful assembly is an assembly of three or more persons who, with intent to carry out any common purpose, assemble in such a manner or so conduct themselves when they are assembled as to cause persons in the neighbourhood of the assembly to fear, on reasonable grounds, that they

- (a) will disturb the peace tumultuously; or
- (b) will by that assembly needlessly and without reasonable cause provoke other persons to disturb the peace tumultuously.

Lawful assembly becoming unlawful

(2) Persons who are lawfully assembled may become an unlawful assembly if they conduct themselves with a common purpose in a manner that would have made the assembly unlawful if they had assembled in that manner for that purpose.

Marginal note: Exception

(3) Persons are not unlawfully assembled by reason only that they are assembled to protect the dwelling-house of any one of them against persons who are threatening to break and enter it for the purpose of committing an indictable offence therein.

R.S., c. C-34, s. 64.

Riot

64 A riot is an unlawful assembly that has begun to disturb the peace tumultuously.

R.S., c. C-34, s. 65.

Punishment of rioter

65 (1) Everyone who takes part in a riot is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.

Concealment of identity

(2) Every person who commits an offence under subsection (1) while wearing a mask or other disguise to conceal their identity without lawful excuse is guilty of an indictable offence and liable to imprisonment for a term not exceeding 10 years.

Punishment for unlawful assembly

66 (1) Everyone who is a member of an unlawful assembly is guilty of an offence punishable on summary conviction.

Concealment of identity

(2) Every person who commits an offence under subsection (1) while wearing a mask or other disguise to conceal their identity without lawful excuse is guilty of

- (a) an indictable offence and liable to imprisonment for a term not exceeding five years; or
- (b) an offence punishable on summary conviction.

Neglect by peace officer

69 A peace officer who receives notice that there is a riot within his jurisdiction and, without reasonable excuse, fails to take all reasonable steps to suppress the riot is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.

ARSON SECTIONS

Arson — disregard for human life

433. Every person who intentionally or recklessly causes damage by fire or explosion to property, whether or not that person owns the property, is guilty of an indictable offence and liable to imprisonment for life where
(a) the person knows that or is reckless with respect to whether the property is inhabited or occupied; or
(b) the fire or explosion causes bodily harm to another person.
R.S., 1985, c. C-46, s. 433; 1990, c. 15, s. 1.

Arson — damage to property

434. Every person who intentionally or recklessly causes damage by fire or explosion to property that is not wholly-owned by that person is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years.

R.S., 1985, c. C-46, s. 434; 1990, c. 15, s. 1.

Arson — own property

434.1 Every person who intentionally or recklessly causes damage by fire or explosion to property that is owned, in whole or in part, by that person is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years, where the fire or explosion seriously threatens the health, safety or property of another person.
1990, c. 15, s. 1.

Arson for fraudulent purpose

435. (1) Every person who, with intent to defraud any other person, causes damage by fire or explosion to property, whether or not that person owns, in whole or in part, the property, is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.

Holder or beneficiary of fire insurance policy

(2) Where a person is charged with an offence under subsection (1), the fact that the person was the holder of or was named as a beneficiary under a policy of fire insurance relating to the property in respect of which the offence is alleged to have been committed is a fact from which intent to defraud may be inferred by the court.

R.S., 1985, c. C-46, s. 435; 1990, c. 15, s. 1.

Arson by negligence

436. (1) Every person who owns, in whole or in part, or controls property is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years where, as a result of a marked departure from the standard of care that a reasonably prudent person would use to prevent or control the spread of fires or to prevent explosions, that person is a cause of a fire or explosion in that property that causes bodily harm to another person or damage to property.

Non-compliance with prevention laws

(2) Where a person is charged with an offence under subsection (1), the fact that the person has failed to comply with any law respecting the prevention or control of fires or explosions in the property is a fact from which a marked departure from the standard of care referred to in that subsection may be inferred by the court.

R.S., 1985, c. C-46, s. 436; 1990, c. 15, s. 1.

Possession of incendiary material

436.1 Every person who possesses any incendiary material, incendiary device, or explosive substance for the purpose of committing an offence under any of sections 433 to 436 is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years.

1990, c. 15, s. 1.

ADDITIONAL CRIMINAL CODE OFFENCES TO CONSIDER:

65 and 66. Wearing a mask at a riot or unlawful assembly

88. Weapons Dangerous (Public Meeting or Intent)

129. Obstructing a Police Officer

175(1)(a) Cause a Disturbance

351(2) Wearing a Disguise

430. Mischief (over/under)

TRESPASS TO PROPERTY ACT

Power to arrest:

(section 9) A police officer, or the occupier of premises, or a person authorized by the occupier may arrest without warrant any person he or she believes on reasonable and probable grounds to be on the premises in contravention of section 2

(section 10) Arrest without warrant off-premises: Where a police officer believes on reasonable and probable grounds that a person has been in contravention of section 2 and has made fresh departure from the premises, and the person refuses to give his or her name and address, or there are reasonable and probable grounds to believe that the name or address

APPENDIX A - TOW PLAN

APPENDIX B – TRAFFIC PLAN

APPENDIX C – TACTICAL PLAN